

UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER

UNITED STATES OF AMERICA,	)	
Complainant,	)	
	)	8 U.S.C. § 1324a Proceeding
v.	)	Case No. 99A00006
	)	
HAYS CATALINA ROOFING & SUPPLY,	)	Marvin H. Morse
INC. dba HAYS CATALINA ROOFING,	)	Administrative Law Judge
Respondent.	)	

**ORDER**  
**(February 2, 1999)**

On October 29, 1998, the Office of the Chief Administrative Hearing Officer (OCAHO) issued a Notice of Hearing (NOH) with the Complaint attached in this case. On November 30, 1998, that mailing addressed to Hays Catalina Roofing, 115 W. Plata, Tucson, AZ, 85705, was returned to OCAHO by the Postal Service as "Unclaimed." By my direction as the Administrative Law Judge (ALJ) to whom the case was assigned, counsel for Complainant caused the NOH and Complaint to be served personally on Respondent on December 15, 1998. The NOH advised Respondent that "an Answer must be filed within thirty (30) days after receipt of the attached Complaint." To date, Respondent has not filed an Answer to the Complaint.

On January 29, 1999, counsel for Respondent filed a Motion for Default Judgment. I issue this Order to advise Respondent that a response to Complainant's motion will be considered timely if filed **no later than Monday, February 22, 1999**. Said response shall include: (1) an Answer to the complaint and an explanation as to why Respondent failed to file an Answer within the original time allowed; and (2) why a judgment of default should not be entered against it. A copy of the Rules of Practice and Procedure of this Office is provided for Respondent's convenience. Failure to respond to this Order may result in an entry of default judgment.

The parties are reminded that an original and two copies of all pleadings must be filed directly with the ALJ, and must contain a certification that a copy has been served on the other party, postage prepaid.

SO ORDERED.

Dated and entered this 2d day of February, 1999.

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Marvin H. Morse  
Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that copies of the attached Order were mailed first class and a copy was sent certified mail, return receipt requested as indicated, this 2d day of February, 1999 addressed as follows:

Counsel for Complainant

Virginia A. Vasquez, Esq.  
Immigration and Naturalization Service  
P.O. Box 25158  
Phoenix, AZ 85002

Dea Carpenter, Esq.  
Immigration and Naturalization Service  
425 "I" Street, NW, Room 6100  
Washington, DC 20536

Respondent

Charlotte Jump, President (Certified Mail #Z-189-961-585)  
Hays Charlotte Catalina Roofing, Inc.  
HCR 2 Box 558  
Tucson, AZ 85735

Office of the Chief Administrative Hearing Officer  
5107 Leesburg Pike, Suite 2519  
Falls Church, VA 22041

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Debra M. Bush  
Paralegal Specialist assigned to Judge Morse  
Department of Justice  
Office of the Chief Administrative Hearing Officer  
5207 Leesburg Pike, Suite 1905  
Falls Church, VA 22041  
Telephone No. (703) 305-0861